

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

STATUS CONFERENCE

In Re: Pork Antitrust Litigation

COURT MINUTES

BEFORE: John R. Tunheim
Chief U.S. District Judge

Case No:	18-1776 JRT/HB
Date:	February 4, 2022
Deputy:	Heather Arent
Court Reporter:	Maria Weinbeck
Time Commenced:	11:11 a.m.
Time Concluded:	12:09 p.m.
Time in Court:	58 Minutes

Hearing on: Status Conference

I. Direct Action Plaintiffs' Complaints and Defendants' Answers

The parties made arguments about options for handling complaints and answers in the Direct Action Plaintiffs' cases including discussing using (1) a single consolidated complaint, (2) individualized complaints, or (3) a hybrid approach. Counsel indicated that additional direct action plaintiffs are likely to file which may affect any consolidated complaint.

The Court took the issue under advisement and will seek to resolve this and provide more guidance in consultation with the Magistrate Judge.

II. Organization of Cases and Parties

The parties discussed their current organizational structures, deadlines, and party group nomenclature. Counsel for the Commonwealth of Puerto Rico indicated that it is not part of the Direct Action Plaintiff coordinating group and specified the differences between the private direct action plaintiffs and Puerto Rico as a governmental plaintiff. The parties made arguments about the manner of organizing the case including consideration of a steering committees and liaison counsel. The Court will consider the need for a steering committee or liaison counsel.

III. Scheduling and Timelines

The Court would like to get all plaintiffs, including the transferred-in Direct Action Plaintiffs, on the same discovery and other timelines as quickly as possible with the class action plaintiffs. The parties indicated that they are currently working on timelines and the existing cases are close to being on the same track and schedule. Counsel for Defendant Tyson Foods raised the possibility that later filing direct action plaintiffs may affect the schedule.

IV. Additional Direct Action Plaintiffs

Additional direct action cases may be filed in the future. Counsel for Direct Action Plaintiffs stated that there were about 40 opt outs from at least 1 of the existing settlements and indicated there is at least 1 additional case that has been filed but not yet transferred in.

V. Future Status Conference

The Court indicated that it will likely include discussion of how to handle possible motions to dismiss at the next status conference.

APPEARANCES BY VIDEOCONFERENCE:

Plaintiffs: Brian Clark, Kristen Gore, Breanna Van Engelen, Michelle Looby, A. Blaine Finley, Sterling Aldridge, Kyle Bates, Alberto Rodriguez, Christina Lopez, Garth Yearick, Michael Ponzoli, Samuel Randall, William Blechman, Robert Kaplan, Michael Mitchell, Scott Gant, David Eddy

Defendants: Max Samels, Peter Schwingler, Craig Coleman, Sami Rashid, Brian Robison, Peter Schwingler, Christopher Smith, Jarod Taylor

APPEARANCES BY PHONE:

William Monts

s/Heather Arent
Courtroom Deputy Clerk